

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**SMITH & WESSON BRANDS, INC., SMITH &
WESSON SALES COMPANY, and SMITH &
WESSON INC.,**

Plaintiffs,

v.

**GURBIR S. GREWAL, in his official capacity as
Attorney General of the State of New Jersey and
NEW JERSEY DIVISION OF CONSUMER
AFFAIRS,**

Defendants.

CIVIL ACTION

CASE NO. 20-19047-JXN-ESK

**ORDER TO SHOW CAUSE FOR A
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

ORAL ARGUMENT REQUESTED

THIS MATTER having been brought before the Court by DLA Piper LLP (US), attorneys for Plaintiffs Smith & Wesson Brands, Inc., Smith & Wesson Sales Company, and Smith & Wesson Inc. (collectively, “Smith & Wesson” or “Plaintiffs”), by Order to Show Cause seeking a temporary restraining order and preliminary injunction pursuant to Federal Rule of Civil Procedure 65 and Local Rule 65.1, based upon the supporting Brief, and Declarations submitted herewith; and Plaintiffs having provided notice to Defendants New Jersey Attorney General Gurbir S. Grewal, in his official capacity as Attorney General of New Jersey (the “Attorney General”), and the New Jersey Division of Consumer Affairs (“DCA,” collectively with the Attorney General, “Defendants”); and the Court having reviewed the written submissions and determined that immediate and irreparable injury will result to Plaintiffs; and for good and sufficient reasons, and for good cause shown;

IT IS on this ____ day of _____, 2021, **ORDERED** as follows:

1. Plaintiffs’ request for a temporary restraining order is **GRANTED**, and pending further hearing and Order on this Order to Show Cause, enforcement of the New Jersey Superior

Court's June 30, 2021 Order in *Grewal v. Smith & Wesson Sales Co., Inc.*, New Jersey Superior Court, Case No. ESX-C-25-21) ("New Jersey State Court Action"), directing Smith & Wesson to comply with Defendants' October 13, 2020 administrative subpoena is otherwise stayed.

2. Defendants shall appear and show cause on the _____ day of _____, 2021, at _____, before the United States District Court for the District of New Jersey, Honorable Julien Xavier Neals, at Martin Luther King Building & U.S. Courthouse, Fifth Floor, 50 Walnut Street, Newark, NJ 07102, or alternatively by video appearance via Zoom or similar video conferencing application, why the Court should not enter an Order pursuant to Federal Rule of Civil Procedure 65(a), 28 U.S.C. § 2283 (the Anti-Injunction Act), and 28 U.S.C. § 1651 (the All Writs Act) preliminarily enjoining enforcement of the June 30, 2021 Order in the New Jersey State Court Action, until such time as this Court has rendered a ruling on the merits in the instant case.

3. Pursuant to this Court's equitable powers, Plaintiffs need not post a bond.

4. A copy of this Order to Show Cause, Brief, and supporting Declarations shall be served upon Defendants through their counsel, Robert McGuire, via e-mail, within _____ days of the date hereof.

5. Defendants shall file and serve via CM/ECF a written response to this Order to Show Cause by _____, 2021.

6. Plaintiffs may file and serve via CM/ECF any written reply to Defendants' opposition by _____, 2021.

7. If Defendants do not file an opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted.

8. Plaintiffs shall forward a copy of this Order to Judge Jodi Lee Alper in the New Jersey State Court Action within _____ days of the date hereof.

9. The Court will notify the parties whether it will entertain argument on the return date of the Order to Show Cause in accordance with Local Civil Rule 78.1.

Hon. Julien Xavier Neals
United States District Judge